

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

---

DETROIT PUBLIC SCHOOLS, PROGRAM  
MANAGEMENT TEAM and LEXINGTON  
INSURANCE COMPANY,

Plaintiffs,

Case No. 09-11915

v.

VALLEY FORGE INSURANCE COMPANY,

Defendant.

---

**ORDER TERMINATING MOTION TO DISMISS**

On April 28, 2010, the court conducted a status conference in the above-captioned case with counsel for Plaintiffs and Defendant. During the conference, the court discussed with the parties the outstanding motion to dismiss [Dkt. # 11]. At a previous status conference the parties had indicated that the addition of Lexington Insurance Company as a plaintiff would resolve the motion to dismiss. At the April 28, 2010 status conference both parties confirmed that this was still the case. Accordingly,

IT IS ORDERED that Defendant's motion to dismiss [Dkt. # 11] is TERMINATED.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 4, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 4, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522